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PATENT



Attorney Reference Number 4239-66491  
Application Number 09/744,289

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Szu et al.

Application No. 09/744,289

Filed: August 1, 2001

Confirmation No. 3981

For: VACCINES AGAINST ESCHERICHIA  
COLI O157 INFECTION

Examiner: Virginia Allen Portner

Art Unit: 1645

Attorney Reference No. 4239-66491

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Agent  
for Applicant(s)

Date Mailed

*[Signature]*  
*November 17, 2003*

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**DECLARATION OF SHOUSUN C. SZU AND JOHN B. ROBBINS**  
**UNDER 37 C.F.R. §1.132**

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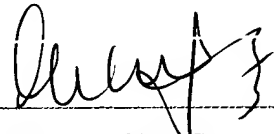
We, SHOUSUN CHEN SZU and JOHN B. ROBBINS declare as follows:

1. We have each read and understand the patent application of Szu *et al.*, Application No. 09/744,289 entitled VACCINES AGAINST ESCHERICHIA COLI O157 INFECTION.
2. We are each inventors of the subject matter that is currently claimed in the above-referenced application, and authors on the cited reference, Konadu *et al.*, *J. Infect. Diseases* 177:383-87, 1998.
3. Inventor and applicant Edward Konadu is deceased.
4. We are both in agreement that James C. Parke, Jr., Hung T. Tran and Dolores A. Bryla are authors on the cited reference, Konadu *et al.*, *J. Infect. Diseases* 177:383-87, 1998, but

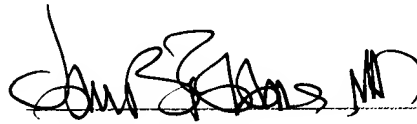
made no contribution to the subject matter that is currently claimed in the above-referenced application. Thus, Konadu *et al.*, 1998 is the publication of our work with Dr. Konadu.

5. All statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true; and further, these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statements made may jeopardize the validity of the application or any patent issuing thereon.

Date: 11/12, 2003

  
Shousun Chen Szu

Date: 11/12, 2003

  
John B. Robbins